

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 08-CR-20601
HON. GEORGE CARAM STEEH

BRIAN OSBURN (D-1),

Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR
EXCULPATORY EVIDENCE AND RULE 16 DISCOVERY MATERIALS [DOC. 178]

Defendant moves for pre-trial disclosure of exculpatory evidence discoverable under Fed. R. Civ. P. 16, Brady v. Maryland, 373 U.S. 83 (1963) and the Jencks Act. Oral argument would not significantly aid the decisional process. Pursuant to E.D. Mich. Local R. 7.1(e)(2), it is ORDERED that the motions be resolved without oral argument.

In response to defendant's motion, the Government has recognized its duty and willingness to comply with Rule 16, and has stated that it will produce Jencks Act and Brady material as required. The court is persuaded that, to date, the Government has complied with its duties of disclosure under Brady and the Jencks Act. Accordingly,

Defendant's motion for pre-trial disclosure is hereby DENIED as moot.

SO ORDERED.

Dated: September 1, 2009

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 1, 2009, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk